

UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Livestock and Seed Program
Seed Regulatory and Testing Branch
Beltsville, Maryland 20705-2325

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SEED COMPANY RECORDS AND THE FEDERAL SEED ACT

I. INTRODUCTION

Maintaining proper records as required under the Federal Seed Act is a problem to some seed companies. The failure to keep proper records may make it difficult to defend oneself against charges of false labeling or claims filed for failure to fulfill a contract. Records necessary for normal good business management will ordinarily meet the requirements of the Federal Seed Act and regulations thereunder. Records which disclose receiving, processing, treatment, quality, testing, labeling, sales and shipping information are essential to everyday management of a seed business.

The term "complete record" is defined in the regulations under the Federal Seed Act to mean "information which relates to the origin, treatment, germination, and purity (including variety) of each lot of agricultural seed transported or delivered for transportation in interstate commerce, or which relates to the treatment, germination, and variety of each lot of vegetable seed transported or delivered for transportation in interstate commerce. Such information includes seed samples and records of declarations, labels, purchases, sales, cleaning, bulking, treatment, handling, storage, analyses, tests, and examinations. The complete record kept by each person for each treatment substance or lot of seed consists of the information pertaining to his own transactions and the information received from others pertaining to their transactions with respect to each treatment substance or lot of seed."

Section 202 of the Federal Seed Act and sections 201.4(a) 201.5, 201.6, 201.7. and 201.7a of the regulations also set forth requirements of record keeping. A complete record of each lot is required to be kept for 3 years, except that the file sample may be discarded one year after disposal of the entire lot of seed. The records should be kept in such a manner as to permit comparison with the records kept by others pertaining to the same lot of seed so that the seed may be traced from the place where it is officially sampled back to the grower, if necessary. Grower's declarations of kind, variety, or type for seeds indistinguishable by seed characteristics should be kept by the person procuring the seed from the grower. Shipper's declarations, invoices, or other labeling establishing the kind, variety, or type to be that stated should be kept by subsequent handlers. The complete record for any lot consisting of or containing treated seed shall include records necessary to disclose the name of any substance or substances used in the treatment of such seed, including a label or invoice or other document received from any person establishing the name of any substance or substances used in the treatment to be as stated, and a representative sample of the treated seed.

The following suggested records provide the information pertaining to seed subject to the Federal Seed Act. They are designed for simplicity, yet relate a continuous history of the seed. No record is of value unless it is kept up to date and filed where it is readily available. The receiving record, grower's declaration, processing record, test record, treatment record, and labeling and disposition record may be kept together in one file folder for each lot, or they may be kept separately.

II. LOT NUMBERS

Lot numbers are the principal means of identifying seed and should be shown on all records. The lot number shown in the labeling is required to be same as that used in the records pertaining to the seed. Choose a simple set of numbers. Do not repeat the series of lot designations more often than every 3 years.

III. RECEIVING RECORDS

Receiving records may be conveniently kept in a ledger or notebook, or on a special form. Country dealers purchasing seed primarily from growers may prefer a simple style. Prenumber the lines with lot numbers. Each time a purchase of seed is made, it receives the next lot number and information is entered as indicated below. Invoices received, scale tickets, labels or test records received, and declarations of origin or variety supplement this simple record.

RECEIVING RECORD
(Sample)

Our Lot No.	Date	From	Kind & Variety	Amount	Incoming Lot No. or Remarks
1	10-1-60	Farmer Brown Brookhaven	Minhafer oat	18,460	bulk, load 1
2	10-2-60	John Doe Farmdale	Red Clover	1,610	18 bags uncl.
3	10-2-60	Valley Seed Co. St. Louis	Ky. bluegrass	25 bags	lot B1014
4	10-6-60	Pacific Shippers, Inc. Portland	Per. ryegrass	50 bags	lot 6K16R
5	10-8-60	Blend of lots 988, 992, & 1004	Ky. 31 tall fescue	60 bags	cleaned

Receiving records showing more information may be on 3x5 or 5x7 file cards and kept in numerical order by lot numbers.

RECEIVING RECORD
(Sample)

Our lot No. _____ Kind & Variety _____

Date received _____ Amount _____

From _____ Address _____

Their lot No. _____ Brand _____

Their invoice No. or date _____ Price _____

Transported to us by _____

Remarks _____

IV. GROWER'S DECLARATION

A grower's declaration of origin, or information traceable to a declaration of origin or evidence showing that a declaration of origin could not be obtained is required for alfalfa, red clover, white clover, and open-pollinated corn. A declaration of kind, variety, or type should be obtained by the person procuring the seed from the grower, if the seed is to be labeled with the name of a kind, variety, or type that cannot be determined by the appearance of the seed. When in doubt as to whether kind, variety, or type can be determined by the appearance of the seed, obtain a declaration. A copy of the declaration and a sample of the seed should be kept by the grower.

If a person obtaining seed from a grower is to be exempt under section 203(d) of the Act from responsibility for false labeling as to kind or kind and variety, obtaining and keeping a grower's declaration of kind or kind and variety is a requisite for such exemption.

Grower's declaration forms may be obtained in booklets from the State Printing Co., 136 North 12th Street, Lincoln, Nebraska 68508, or the Ellis Press, 723 West Indiana Street, Enid, Oklahoma 73701. The booklets include yellow alternate sheets for carbon copies. By furnishing the names of these printers, no discrimination is intended nor guarantee of reliability implied. Similar forms may be available from other sources or may be printed by local printers on order.

GROWER'S DECLARATION
(Sample)

United States Department of Agriculture
GROWER'S DECLARATION OR ORIGIN, KIND, VARIETY, OR TYPE

(Declarations of ORIGIN are required for alfalfa, red clover, white clover, and corn, other than hybrid corn. Declarations of KIND, VARIETY, or TYPE are required only when the seed is being sold under the name of a KIND, VARIETY, or TYPE that cannot be determined by the appearance of the seed.) In accordance with the regulations under the Federal Seed Act, I, the grower of the seed described below, do hereby declare that the facts stated are correct to the best of my knowledge and belief.

KIND OF SEED _____ VARIETY* _____ TYPE* _____

Grower's lot number or mark, if any _____ Bags _____ Pounds _____

Where grown: County _____ State _____

Seed sold to _____ P.O. Address _____

Delivered to _____ Place _____

Date shipped or delivered by grower _____ 19 _____

*The grower should have adequate information to support his naming of the variety or type. Not having such information the variety or type should not be stated.

(To be filled in by purchaser) Signature of grower and post office

Auto Tag: State _____ No. _____

Purchaser's receiving lot No. _____ P.O. _____

Note: A copy of this declaration should be retained by the grower.

V. PROCESSING RECORDS

Records of blending cleaning or processing and treating may be combined into one form.

PROCESSING and/or BLENDING RECORD (Sample)

New lot No. 21

Instructions:

Kind Red clover

Clean : clipper, gravity & dodder

Variety Unknown

Blend :

Origin Ill.

Rebag : plain white 60 lbs.

Date processed 12-10-70

Treat : Thiram 1 oz. per. bu.

Seed cleaned or blended:

Kind and Variety	Origin	Lot No.	No. bags	Weight
Red clover	Ill.	3	7	710
" "	Ill.	11	4	450
" "	Ill.	17	10	1120
" "	Ill.	18	10	980
				3260

After processing

New lot No.	No. bags	Weight	Disposition Show lot into which bulked or to whom shipped	Date
21	43+10#	2590	to stock record lot 21	12-10-70
21#1 SCR	2	215	to lot 37	12-28-70
21#2 SCR	1 2	132	to lot 37	12-28-70
21#3 SCR	1	114	to lot 37	12-28-70
no value	2	167	to feed bin	12-28-70
mill loss		42		
total		3260		

VI. DISPOSITION RECORDS

A record of disposition of each lot of seed may be added to the bottom of the processing record if printed on an 8" x 11-2" sheet or it may be added to the reverse side of a 5x7 file card. The disposition record

may also be kept as a separate record. Such a record should identify the seed by lot number and kind or kind and variety and should show the original amount of the lot. Space should be provided to enter the date, amount, and invoice number of each sale of the lot. The disposition record may also serve as an inventory record. Disposition records of retail sales are not usually kept. Firms doing both retail and wholesale business should assign certain lots for retail purposes.

DISPOSITION RECORD OR STOCK RECORD
(Sample)

Lot No. 21 Kind and Variety Red clover

Original amount 43 bu. + 10#		2,590	43 + 10#		
Inv. No.	Date	Bags	Weight	Balance	Sold to
101	12/20/70	10	600	33 + 10#	XYZ Seed Co.
114	12/19/70	20	1200	13 + 10#	Farmers Supply
126	12/22/70	10	600	3 + 10#	Lucky Seed Co.
	12/22/70	3 + 10#	190	-----	into lot No. 36

VII. TEST RECORDS

Some firms send samples to a commercial or State laboratory for testing. The reports received are the seedsman's test records. A seed firm employing its own seed analyst usually relies upon the analyst to maintain a record of each test made. A 5x7 file card is suitable for this record. The germination record may be shown on the reverse side of the purity record.

All tests for labeling purposes should be made in accordance with the procedures set forth in the rules and regulations under the Federal Seed Act. Be sure that the sample is drawn in such a manner as to represent the entire lot of seed. Also, be sure that tests are made to determine the name and rate of occurrence of noxious-weed seeds for each State into which the seed may be shipped.

(Note: Nonuniformity in seed lots is believed to be the biggest single cause of mislabeling. If a lot is nonuniform, mislabeling is likely since, under the Act, every bag of seed in the lot is required to be accurately labeled. Quality control procedures designed to detect and remedy nonuniformity are strongly encouraged. An example of such quality control procedure would be testing samples from different portions of the lot and if these tests indicate nonuniformity, clean, blend, or otherwise process the seed to eliminate the nonuniformity. After the nonuniformity has been eliminated, test for labeling purposes a sample representing the entire lot.)

PURITY TEST RECORD
(Sample)

Lab No. _____ Kind & Variety submitted as _____

Lot No. _____ Submitted by _____

Date received _____ Size of sample _____ Test for _____

Date test begun, purity _____ Germination _____ Nox. _____

Date test reported, purity _____ germination _____

Test made by _____

PURITY ANALYSIS

Wt.	%	*Varietal determination and method used
Pure seed*		
Other crop		
Inert		
Weed seeds		
Total		Character of inert matter _____
Name of other crop seeds	Name of weed seeds	Noxious-weed seeds in _____ grams Name No.

GERMINATION TEST RECORD
(Sample)

Lab. No. _____

Lot No.	Kind							
Date test begun								
Special treatment								
Temperature								
Substratum								
No. seeds tested								
Dates &								
normal								
seedlings								
counted								
Totals								
Average								
Hard Seeds								
Average								
Abnormal seedlings								
Dead seeds								
Test made by								

IX. FILE SAMPLES

A file sample representing each lot of seed is considered a part of the purity and germination record. The containers should be marked, or other records kept, to show when, where, and how the sample was obtained and the amount and identification of the lot of seed it represents. If weevils or other pests tend to damage these samples, add a pinch of para-dichlorobenzene crystals (obtainable at most drug stores). Plastic bags may be used to prevent infestation by insects or to isolate infested samples. A file sample of agricultural seed should be at least the minimum size for a noxious-weed seed examination as set forth in section 201.52 of the rules and regulations, and a file sample of vegetable seed should consist of at least 400 seeds. A sample kept by a seed laboratory may be considered as a seedsman's file sample provided the sample is available for inspection upon request. A seedsman who arranges for a seed laboratory to keep his file samples should always submit for testing a sample at least twice the size required for the tests requested so that ample seed will remain on file after the test.

X. RECORD CHECK LIST

If your records show the following information, you can rest assured that your records comply with the Federal Seed Act and regulations thereunder and they will supply you with sufficient information to trace the history of any lot of seed handled.

A. Receiving Records

1. Lot No. assigned
2. Purchased from
3. Name and address of carrier
4. Invoice No.
5. Invoice date
6. Transportation record No.
7. Date shipped
8. Date received
9. Amount received
10. How represented by supplier
 - a. Kind and variety
 - b. Lot No.
 - c. Origin
 - d. Pure seed percentage
 - e. Inert matter percentage
 - f. Other crop seed percentage
 - g. Weed seed percentage
 - h. Germination percentage
 - i. Hard seed percentage
 - j. Date of test
 - k. Name and rate of noxious-weed seeds
 - l. If represented by laboratory report
 - (1) Name of laboratory
 - (2) Laboratory No.
 - m. If by label, retain one of the labels
 - n. Label or invoice or other document establishing the name of any substances used in treatment

B. Processing Records

1. New lot number assigned

2. Date processed
3. Lot number & weight of each lot blended
4. Rough weight
5. Cleaned weight
6. No. bags cleaned seed
7. Kind of bags and how marked
8. How processed
9. Description and name of substance with which treated and label or other document necessary to establish the name of any substances used in treatment

C. Sales and Shipping Records

1. Invoice No.
2. Invoice date
3. Kind and Variety
4. Lot number
5. No. bags
6. Weight shipped
7. Quality represented on invoice
8. Date shipped
9. Shipped from
10. Date delivered
11. Shipped to
12. Transportation record No. and date
13. Name and address of carrier

D. Test Records

1. Laboratory name
2. Test No.
3. Kind and variety
4. Lot No.
5. Submitted by
6. Date test begun
7. Date test completed
8. Size of sample tested for noxious-weed seeds
9. No. of seeds tested for germination and method used
10. Pure seed percentage, including varietal determination made
11. Inert matter percentage
12. Other crop seed percentage
13. Weed seed percentage
14. Germination percentage
15. Hard seed percentages
16. Information showing the germination test method used
17. Names and rates of noxious-weed seeds
18. If labeling is based on analysis of component lots, each lot should have complete records as indicated above

E. Stencil or copy of label used

F. File Sample

1. At least 400 seeds of vegetable seed; for minimum size of agricultural seed see section 201.52 of the regulations under the Federal Seed Act
2. Lot No.
3. Sample No.
4. How and where sample was obtained

G. Copy of Grower's Declaration of Origin, Kind, Variety, or Type; suppliers' invoices or other documents necessary to establish the origin, kind, variety, or type to be that stated in the labeling

H. Correspondence or reports relating to official tests made by State enforcement agencies

Note: If you did not process the seed, you do not need a processing record. If agricultural seed is not required to be labeled as to origin or is not labeled with the name of a variety that cannot be determined by the appearance of the seed, you do not need declarations or other documents establishing the origin or variety. Records of the purity and origin of vegetable seed need not be kept as that information is not required to be shown on labels. However, records of the variety of vegetable seeds are necessary as all vegetable seed must be labeled to show the name of the variety.

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